

Carlisle Conservation Commission
March 14, 2019
Minutes

Pursuant to the notice filed with the Town Clerk, Chair Angie Verge called the meeting to order in the Clark Room at the Town Hall at 7:02 p.m. Also present were Commissioners Ken Belitz, Lee Tatistcheff, Dan Wells, Helen Young and Conservation Administrator, Sylvia Willard. Vice Chair Melinda Lindquist was not present.

Land Use Permit: Carlisle Conservation Foundation/2019 Public Nature Walks:

Verge requested a motion to issue a Land Use Permit to Alan Ankers on behalf of the Carlisle Conservation Foundation to lead public nature walks on town conservation lands from March 29, 2019 - December 31, 2019 during daylight hours. The motion was moved by Young, seconded by Belitz and all voted in favor.

Young, who leads weekly walks under the auspices of the Carlisle Council on Aging, asked why CCF is required to obtain a Land Use Permit and also whether other groups who lead walks on town conservation lands should be obtaining LUPs from the Commission. Willard explained the purpose of issuing Land Use Permits is to provide a historical record of activities and uses of town conservation lands and also to help coordinate in the event of potential conflicts in use. The permits also include a waiver section that protects the town from potential liability issues. It was noted that organizations such as the Boy Scouts and for-profit organizations are also required to provide a Certificate of Liability Insurance in addition to signing off on the permit. In the case of the COA-sponsored walks, Willard suggested Young should consult with the Town Administrator to confirm the COA activities such as this are covered under the town's general liability insurance policy.

Open Seat Recommendation: Verge noted the Commission had met with Alex Parra at their previous meeting to discuss his letter of interest in filling the open seat vacated by Steve Smith. There was no vote was taken at that time because the open seat had not yet been posted. Following the interview with Alex Parra and the subsequent posting in the *Carlisle Mosquito*, an additional letter of interest was submitted to the Commission by another applicant which has since been withdrawn because she is now contemplating serving on the Land Stewardship Committee.

Verge said she would entertain a motion to request that the Select Board appoint Alex Parra to the Conservation Commission. The motion was moved by Tatistcheff, seconded by Young and all voted in favor.

Project Updates:

570 West Street / Lion's Gate - Site Stabilization Update: The developer has been notified that the siltation barrier has been adversely impacted by winter snow plowing and must be re-established as soon as the ground thaws sufficiently. He has also been advised of the requirement that they establish a more robust construction entrance to prevent mud from being tracked out onto the roadway and subsequently getting washed downstream.

162 Nowell Farme Road: After-the-fact NOI submission for unpermitted removal of 9 trees within the 100-foot Buffer Zone of a BVW , May, 2018: Willard reported she is still waiting for confirmation from Scott Smyers of Oxbow Associates that he is in the process of preparing a NOI to address the violation. The last communication Willard had with the representative was in November 2018, when he indicated he had been contracted by the property owner. The Commission had not issued an Enforcement Order immediately following the violation because there had been a strong indication by the owner that he intended to submit a filing promptly. An Enforcement Order will be issued within the next week if the Commission has not been provided with concrete evidence that a filing including a Restoration Planting Plan is in process for submittal no later than May 13, 2019.

81 Russell Street/Garrison Place: As requested, the site contractor has provided significant erosion control enhancements and stabilization measures following the discovery that excavating grading for compensatory storage was done out of season and outside the requirements of the Order of Conditions.

Bedford Road/Woodward Village - Well Installation Update: The water supply wells have been installed and all pump testing was completed on March 7th. Comprehensive water samples have been obtained for quality testing and the Source Final Report will be submitted to the BOH as soon as they are completed.

Carlisle Fire Station: Contamination Remediation Update: The installation of five monitoring wells was completed last week within the area identified on the plan submitted for the Emergency Certificate. Wetlands have been delineated and erosion controls remain as established for the work to remove the USTs in late December. The Board of Health has received a preliminary report indicating there was no evidence of contamination of private drinking water wells in the vicinity of the spill.

7:15 pm (DEP 125-1055) Notice of Intent, Continued Hearing

Applicant: Sean J. Kavanagh

Project Location: 481 Cross Street

Project Description: Replacement of an existing, failed septic system in the same general location with site grading and stabilization ground cover within the 100-foot Buffer Zone of a Bordering Vegetated Wetland

Verge opened the continued hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Present were Steve Poole of Lakeview Engineering Associates and property owner Sean Cavanaugh

Poole recalled that at the previous hearing they had presented several potential options for the septic location and the current plan is based on the Commission's and the BOH's preferred design location. He noted the Commission had been concerned about the amount of fill, grading and tree removal included in the original proposal. They received BOH approval for the revised plan dated February 27, 2019 at their previous meeting.

Tatistcheff moved to close the hearing for DEP #125-1055, Wells seconded the motion and all voted in favor. Tatistcheff moved to issue a Standard Order of Conditions based on the final plan dated February 27, 2019, with the following Special Conditions: (1) the wattles proposed for the erosion control barrier for this project shall be biodegradable and make no use of plastic netting to encase straw or compost material. In the event that bales are requested for substitution, the bales must be made of straw, not hay.; Wells seconded the motion and all voted in favor.

Rockstrom Conservation Land CR #52: Tree Removal Violation:

Hancock Associates has contacted the office on behalf of the owner of 605 School Street to discuss remediation requirements in accordance with the terms of the EO issued January 24, 2019. The owners of the adjacent properties on which unpermitted tree clearing occurred within the 100-foot Buffer Zone as well as within the 200-foot Riverfront Area in conjunction with the CR violation have been contacted to suggest they coordinate remediation for the tree removal with the owner of 605 School Street.

FY20 Budget Update: Verge announced the Personnel Board approved the Commission's request for a change from Grade 5 to Grade 6 at their recent meeting. This is in addition to their approval of the Commission's request for an increase from 30 to 35 hours per week that was received earlier in the budget process. Verge said she and Willard then met with the Finance Committee and were told the request likely came to them too late but that they would be meeting with the BOS this week to conclude discussions regarding the budget process and a newly drafted policy for evaluating future personnel requests. Verge said because of this, the Commission is being required to backtrack and return to the BOS to re-present the requests. She noted she and Willard have maintained regular communications with FinCom throughout the process, including numerous setbacks when the Personnel Board was unable to achieve a quorum for meetings scheduled during the months of January and February 2019.

Verge then read from an email from Town Administrator Tim Goddard sent to her earlier in the day with regard to his recommendations in moving forward..."you can tell the Commission that their requests were discussed at the BOS meeting on Tuesday but no final decision was made. No one disputed the need for the additional hours. FinCom feels the request is coming too late in the budget process and I explained that this is not the Commission's fault, as they started this process early in the fall and it has taken it until now to get through the Personnel Board, and, also, the request for additional hours is actually the same request as last year, so it should not be a surprise. I would like to get you on the next BOS agenda to close the loop on this since they asked you to come back to them. Everyone agrees that the steps in the process need to be made clearer in the future".

7:30 p.m. (DEP 125-1063) Notice of Intent, Continued Hearing

Applicant: Robert Silva, Septic Preservation Services

Project Location: 95 Hanover Road

Project Description: Septic System installation for an existing single family house

Verge opened the Continued Hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Belitz recused himself as a member of the Hanover Hill Homeowners' Association. Property owner Chantal Nouvellon submitted the U.S. Postal Service Certified Mail receipts from the abutter notification mailing.

Due to the substantial discrepancies between the previous wetland delineation done for this property and the delineation submitted with the current NOI, the Commission's preference is to obtain a peer review. Willard said she had recently spoken with the applicant regarding the peer review process and she is now willing to submit the funding to cover the cost in order to move the permitting process forward. In light of this, the Commission will contact Dr. John Rockwood of EcoTec, Inc., the wetlands consultant who peer reviewed the delineations for the Hanover Hill ORAD in 2006, and request a not-to-exceed estimate for the work.

Wells noted that any flags that may be changed as a result of the peer review must then be surveyed and included on a revised plan. The applicant was also advised that the NOI application must be modified to show the property owner as the applicant, since she previously informed the Commission of the fact that she no longer has a contract with Septic Preservation Services. In addition, the address must be changed to reflect her current residence, not the subject property, with a copy of the revised form submitted to MassDEP and to the Conservation Commission.

With no further comments, Tatistcheff moved to continue the hearing to April 11, 2019 at 7:15 with the applicant's approval, Wells seconded the motion and all voted in favor.

Town Meeting - April 29, 2019: The Commission will be requesting support from the Community Preservation Committee for projects including funding for the repair of the **Greenough Dam** and funding of the **Open Space and Recreation Plan Revision Initiation (Expires Sept 2020)**. It was noted the CPA funding for the repair of the Greenough Dam is being requested as back up to the state funding that has been earmarked for this purpose. The application package to the state is near completion and will be submitted shortly.

7:50 p.m. (DEP 125-1062) Notice of Intent, Continued Hearing

Applicant: Justin Delva

Project Location: 274 Heald Road

Project Description: Construction of an addition to the single-family house, a porch, a deck, and the removal of 22 trees all located within the 100-foot Buffer Zone of a Bordering Vegetated Wetland.

Verge opened the Continued Hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. *Tatistcheff moved to continue to March 28, 2019 at 7:15 p.m. at the representative's request, Young seconded the motion and all voted in favor.*

APR Grant Announcement - Field restoration: The Massachusetts Department of Agricultural Resources recently announced the availability of funds under a Stewardship Assistance and Restoration Grant Program available for properties under the Agricultural Preservation Program. The purpose of the program is to address stewardship or restoration issues on farmland resources in order to maximize productive agricultural use of the protected resource. Funding of up to \$25k is available with a 15% match.

The Commission agreed to pursue submission of a grant application for use in restoring field edges on portions of the Hutchins and Robbins Fields, which were not included in the town's program to restore field edges on their agricultural fields several years ago.

Planting Recommendations for Buffer Zone/Jurisdictional Areas: Verge reported she is in the process of finalizing a reference document containing guidance for assisting property owners in selecting plants for work within jurisdictional areas. Verge said she has included vascular plants native to Middlesex County based on plants that are available commercially in this area, also including habitat criteria and wetland indicator status. Once completed, the document will be posted on the Commission's web page and some of the information will be incorporated into the 2020 Open Space and Recreation Plan revisions.

8:10 p.m. Master Plan Steering Committee (MSPC) - Town Master Plan:

Jessica Nierenberg was present on behalf of the MPSC to discuss the Warrant Article seeking \$160k for the proposed Master Plan for Carlisle. The funds would be expended by the MPSC for the costs associated with the preparation of a Master Plan, including consultant services and ancillary costs associated with the preparation and presentation of the plan and the management of the planning process.

Nierenberg explained the purpose of the plan is to organize a formal process to establish a roadmap for identifying short term needs and long term goals, achieving priorities, and tracking progress toward creating a shared vision that is developed through an inclusive community process and with input from town boards and committees. The projected timeline for the completion of the Master Plan if the process moved forward following Town Meeting is estimated to begin in the fall of 2019 and continue through 2020.

Nierenberg concluded by requesting the Commission's support at Town Meeting on April 30, 2019.

Tatistcheff moved that the Conservation Commission supports the Master Planning process and the proposal and looks forward to coordinating with the Master Planning Steering Committee and the consultant to leverage this in our OS&R Plan 2020 update. Young seconded the motion and all voted in favor.

8:25 p.m. With no further business, Tatistcheff moved to adjourn, motion seconded by Wells and all voted in favor.

Respectfully submitted,
Mary Hopkins

DOCUMENTS SUBMITTED: none